THE PETITION OF THE LORDS AND COMMONS Assembled in Parliament.

Presented to His MAJESTIE at *Beverley* the 16. of *July* 1642.

With His MAJESTIES Answer thereunto.—

By the King.

OUR expresse pleasure is, That this Our Answer be read and published throughout all Churches and Chappels of the Kingdome of *England*, and Dominion of *Wales*, by the severall Parsons, Vicars, or Curates of the same.

EDINBURGH,

Printed by *Evan Tyler*, Printer to the Kings most excellent Majestie. *Anno* 1642.

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PETITION

OF

THE LORDS

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THE HVMBLE PETITION Of the LORDS and COMMONS assembled in Parliament: Presented to His Majestie at *Beverley* the 16. of *July* 1642.

May it please your Majestie,

ALthough we, Your Majesties most humble and faithfull Subjects, the Lords and Commons in Parliament assembled, have been very unhappy in many former Petitions and Supplications to Your Majesty, wherein we have represented our most dutifull Affections, in advising and desiring those things which wee held most necessary for the preservation of Gods true Religion, Your Majesties safety and Honour, and the peace of the Kingdome; And with much sorrow do perceive, That Your Majesty, incensed by many false calumnies and slanders, doth continue to raise Forces against us, and Your other peaceable and loyall Subjects, and to make great preparations for War, both in the Kingdome, and from beyond the Seas; And by Arms and Violence to over-rule the judgment and advice of Your great Councell; and by force to determine the Questions there depending, concerning the Government and Liberty of the Kingdome: Yet such is our earnest desire of discharging our dutie to Your Majesty and the Kingdome, to preserve the peace thereof, and to prevent the miseries of Civill War amongst Your Subjects; That notwithstanding we hold our selves bound to use all the means and power, which by the Lawes and Constitutions of this Kingdome wee are trusted with for defence and protection thereof, and of the Subjects from force and violence; We do in this our humble and loyall Petition, prostrate our selves at Your Majesties feet; beseeching Your Royall Majesty, That You will be pleased to forbear, and remove all preparations and actions of War, particularly, the Forces from about *Hull*, from *Newcastle*, *Tinmouth*, *Lincoln*, and *Lincolnshire*, and all other places; And that your Majestie will recal the Commissions of Array, which are illegall, dismisse Troops, and extraordinary Guards by You raised; That Your Majestie will come neerer to Your Parliament, and hearken to their faithfull advice

and humble Petitions, which ſhall onely tend to the defence and advancement of Religion, Your Own Royall Honour and Safety, the preſervation of our Lawes and Liberties: And we have been, and ſhall ever be carefull to prevent and puniſh all Tumults, and ſeditious Actions, Speeches, and Writings, which may give Your Majeſtie juſt cauſe of diſtaſte or apprehenſion of danger; from which publike aims and reſolutions, no ſiniſter or private reſpect ſhall ever make us to decline: That Your Majeſtie will leave delinquents to the due courſe of Juſtice; And that nothing done or ſpoken in Parliament, or by any Perſon in purſuance of the command and direction of both Houſes of Parliament, bee queſtioned any where but in Parliament.

And we, for our parts, ſhall be ready to lay down all thoſe preparations which wee have beene forced to make for our defence. And for the Town of *Hull*, and the Ordinance concerning the *Militia*; as we have in both theſe particulars, onely ſought the preſervation and peace of the Kingdome, and the defence of the Parliament from force and violence, ſo we ſhall moſt willingly leave the town of *Hull* in the ſtate it was before Sir *John Hotham* drew any Forces into it; delivering Your Majeſties Magazine into the Tower of *London*, and ſupplying whatſoever hath been diſpoſed by us for the ſervice of the Kingdome: We ſhall be ready to ſettle the *Militia* by a Bill, in ſuch a way as ſhall be honorable and ſafe for Your Majeſty, moſt agreeable to the dutie of Parliament, and effectual for the good of the Kingdom; that the ſtrength thereof be not imployed againſt it ſelf; and that which ought to be for our ſecurity, applyed to our deſtruction: and that the Parliament, and thoſe who profeſſe and deſire ſtill to preſerve the Proteſtant Religion, both in this Realm, and in *Ireland*, may not be left naked, and indefenſible, to the miſchievous deſignes, and cruell attempts of thoſe who are the profeſt and confederated enemies thereof, in Your Majeſties dominions, and other neighbour-nations. To which, if Your Majeſties courſes and counſels ſhall from henceforth concur, we doubt not but we ſhall quickly make it appear to the world, by the moſt eminent effects of love and dutie, That Your Majeſties perſonall ſafety, Your Royall Honour and Greatneſſe are much dearer to us then our own lives and fortunes; which we do moſt heartily dedicate, and ſhall moſt willingly imploy for the ſupport and maintenance thereof.

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HIS MAJESTIES ANSWER

To the aforesaid PETITION.

THough His Majestie had no great reason to beleeve, That the directions sent to the Earle of *Warwick*, to go to the river of *Humber*, with as many Ships as He should think fit, for all possible Assistance to Sir *John Hotham*; (whilest His Majestie expected the giving up of the Town unto Him) and to carry away such Arms from thence, as his discretion thought fit to spare out of His Majesties Own Magazin; The chusing a Generall by both Houses of Parliament, for the Defence of those who have obeyed their Orders and Commands (be they never so extravagant and illegall;) Their Declaration, That in that Case, they would Live and Die with the Earle of Essex their Generall; (all which were Voted the same day with this Petition) and the Committing the Lord Major of *London* to Prison, for executing His Majesties Writs and Lawfull Commands; were but ill Prologues to a Petition which might compose the miserable distractions of the Kingdome; Yet, His Majesties passionate desire of the Peace of the Kingdome, together with the Preface

of

of the Presenters, That they had brought a Petition full of Duty and Submission to His Majestie, and which desired nothing of Him, but His consent to Peace, which His Majestie conceived to bee the Language of both Houses too) begot a greedy hope and expectation in Him, That this Petition would have been such an Introduction to Peace, that it would at least have satisfied His Message of the eleventh of this Moneth, by delivering up *Hull* unto His Majestie. But to His unspeakable grief, His Majestie hath too much cause to beleeve, That the end of some persons, by this Petition, is not in truth, to give any reall satisfaction to His Majestie, but by the specious pretences of making offers to Him, to Mis-lead, and Seduce His People, and lay some imputation upon Him, of denying what is fit to be granted; otherwise, it would not have thrown those unjust Reproaches and Scandalls upon His Majestie, for making necessary and just Defence for His Own Safetie, and so peremptorily justified such Actions against Him, as by no rule of Law or Justice can admit the least colour of defence; and after so many free and unlimited Acts of Grace passed by His Majestie, without any Condition, have proposed such things, which in Justice cannot be denyed to Him, upon such Conditions, as, in Honour, He cannot Grant. However, that all the world may see how willing His Majesty would be to embrace any overture, that might beget a right understanding between Him and His two Houses of Parliament, (with whom He is sure He shall have no contention, when the private practices, and subtill insinuations of some few Malignant Persons shall bee discovered, which His Majestie will take care, shall bee speedily done) He hath with great care weighed the particulars of this Petition, and returnes this Answer:

That

That the Petitioners were never unhappy in their Petitions or Supplications to His Majeſtie, whileſt they deſired anything which was neceſſary or convenient for the preſervation of Gods true Religion, His Majeſties ſafety and honour, and the Peace of the Kingdome; and therefore when thoſe generall envious foundations are laid, His Majeſtie could wiſh ſome particular inſtances had been applyed. Let Envie and Malice object one particular Propoſition for the preſervation of Gods true Religion, which His Majeſtie hath refuſed to conſent to; what Himſelf hath often made for the eaſe of tender conſciences, and for the Advancement of the Proteſtant Religion, is notorious by many of His Meſſages, and Declarations; what regard hath been to His Honour and ſafety, when He hath been driven from ſome of His Houſes, and kept from other of His Towns by Force; and what care there hath been of the peace of the Kingdome when endeavour hath been uſed to put all His Subjects in Arms againſt Him, is ſo evident, that His Majeſtie is confident, He cannot ſuffer by thoſe generall imputations: Tis enough that the world knowes what He hath granted, and what He hath denyed.

For His Majeſties raiſing Forces, and making preparations for War, (whatſoever the Petitioners, by the ill Acts of the Enemies to His Majeſties Perſon and Government, and by the calumnies and ſlanders raiſed againſt His Majeſtie by them, are induced to beleeve) all men may know, what is done that way is but in Order to His Own Defence. Let the Petitioners remember, That (which all the world knowes) His Majeſtie was driven from His Palace of *White-hall* for ſafety of His Life; That both Houſes of Parliament, upon their

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own Authority, raiſed a Guard to themſelves, (having gotten the Command of all the Train-bands of *London* to that purpoſe) without the leaſt colour or ſhadow of Danger; That they uſurped a Power, by their pretended Ordinance, (againſt all principles and elements of Law) over the whole *Militia* of the Kingdome, without and againſt His Majeſties Conſent; That they tooke Poſſeſſion of His Town, Fort, and Magazine of *Hull*, and committed the ſame to Sir *John Hotham*, who ſhut the Gates againſt His Majeſtie, and by force of Arms, denyed entrance thither to His Own Perſon; That they juſtified this Act, which they had not directed, and took Sir *John Hotham* into their protection for whatſoever He had done, or ſhould do againſt His Majeſtie; And all this whilſt His Majeſtie had no other attendance, then His Own meniall Servants: Upon this, the duty and affection of this County prompted His Subjects here to provide a ſmall Guard for His Own Perſon, which was no ſooner done, but a Vote ſuddenly paſſed of His Majeſties intention to levie War againſt His Parliament (which God knowes His Heart abhorreth) and notwithſtanding all His Majeſties Profeſſions, Declarations, and Proteſtations to the contrary, ſeconded by the cleer Teſtimony of ſo great a number of Peers upon the place, Propoſitions and Orders for levies of Men, Horſe, and Arms were ſent throughout the Kingdome; Plate, and Money brought in, and received; Horſe, and Men raiſed towards an Army, muſtered, and under Command; and all this contrary to the Law, and to His Majeſties Proclamation: And a Declaration publiſhed, That if He ſhould uſe force for the recovery of *Hull*, or ſuppreſſing the pretended Ordinance for the *Militia*, it ſhould be held levying War againſt the Parliament;

and

and all this done before His Majeſtie granted any Commiſſion, for the leavying, or raiſing a Man: His Majeſties Ships were taken from Him, and committed to the cuſtody of the Earle of *Warwick*, who preſumes, under that Power, to uſurp to himſelf the Soveraignty of the Sea; to chaſe, fright, and impriſon ſuch of His Majeſties good Subjects as deſire to obey His lawfull Commands, although He had notice of the legall Revocation of the Earle of *Northumberlands* Commiſſion of Admirall, whereby all Power derived from that Commiſſion ceaſed. Let all the world now judge who began this War, and upon whoſe account the miſeries which may follow muſt be caſt, what His Majeſtie could have done leſſe then He hath done; and whether He were not compelled to make proviſion, both for the Defence of Himſelf, and recovery of what is ſo violently, and injuriouſly taken from Him, and whether theſe Injuries, and Indignities are not juſt grounds for His Majeſties Feares, and Apprehenſions of further miſchief and danger to Him: Whence the Feares and Jealouſies of the Petitioners have proceeded, hath never been diſcovered, the dangers they have brought upon His good Subjects are too evident; what thoſe are they have prevented, no man knowes: And therefore His Majeſtie cannot but look upon that charge, as the boldeſt, and the moſt ſcandalous hath been yet laid upon Him, That this neceſſary proviſion, made for his Own Safety and Defence, is to overrule the judgement and advice of his great Councell, and by force to determine the queſtions there depending, concerning the Government, and Liberty of the Kingdome: If no other force had been raiſed, to determine thoſe queſtions then by his Majeſtie, this unhappy miſ-underſtanding had not been: And his Majeſty

no longer desires the Blessing, and Protection of Almighty God upon Himself, and His Posterity, then he and they shall solemnly observe the due execution of the Laws, in the defence of Parliaments, and the just freedome thereof.

For the Forces about *Hull*, His Majestie will remove them, when He hath attained the end for which they were brought thither; when *Hull* shall be reduced again to His subjection, He will no longer have an Army before it; and when He shall be assured, That the same necessity, and pretence of publike good, which took *Hull* from Him, may not put a Garrison into *Newcastle*, to keep the same against Him, He will remove His from thence, and from *Tinmouth*; till when the example of *Hull* will not out of His memory.

For the Commissions of Array, which are legall, and are so proved by a Declaration now in the Presse; His Majestie wonders why they should at this time bee thought grievous, and fit to be recalled; If the feares of Invasion and Rebellion be so great, that by an illegall pretended Ordinance it is necessary to put His Subjects into a posture of defence, to Array, Traine, and Muster them, He knows not why the same should not be done in a Regular, Known, Lawfull way; but if in the execution of that Commission any thing shall bee unlawfully imposed upon His Subjects, His Majesty will take all just and necessary care for their redresse.

For His Majesties coming nearer to His Parliament, His Majestie hath expressed Himself so fully in His severall Messages, Answers, and Declarations, and so particularly avowed a reall fear of His safety, upon such instances as cannot bee answered, that He hath reason to take Himself somewhat neglected, That since upon so

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manifeſt reaſons, it is not ſafe for His Majeſtie to come to them, both His Houſes of Parliament will not come neerer to His Majeſty, or to ſuch a Place, where the Freedome and Dignity of Parliament might bee preſerved. However His Majeſtie ſhall be very glad to hear of ſome ſuch example in their puniſhing the Tumults, (which He knowes not how to expect, when they have declared that they knew not of any Tumults, though the Houſe of Peeres deſired, both for the Dignity and Freedome of Parliament, that the Houſe of Commons would joyne with them in a Declaration againſt Tumults) which they refuſed (that is, neglected to do) and other ſeditious Actions, Speeches, and Writings, as may take that apprehenſion of danger from Him: Though, when He remembers the particular complaints Himſelf hath made of buſineſſes of that nature, and that in ſtead of inquiring out the Authors, neglect of examination hath been, when offer hath been made to both Houſes to produce the Authors, (as in that treaſonable Paper concerning the *Militia*) and when he ſees every day Pamphlets publiſhed againſt His Crown, and againſt Monarchy it ſelf, as the Obſervations upon His late Meſſages, Declarations, and Expreſſions, and ſome Declarations of their own, which give too great encouragement in that Argument to ill-affected perſons; His Majeſtie cannot with confidence entertain thoſe hopes which would be moſt welcome to Him.

For the leaving Delinquents to the due courſe of Juſtice, His Majeſtie is moſt aſſured He hath been no ſhelter to any ſuch; if the tediouſneſſe and delay in proſecution, the vaſt charge in Officers Fees, the keeping men under a generall Accuſation without tryall a whole year and more, and ſo allowing them no way for their de-

fence and vindication, have frighted men away from ſo chargeable and uncertain an attendance, the remedy is beſt provided where the diſeaſe grew. If the Law be the meaſure of Delinquency, none ſuch are within His Majeſties protection: But if by Delinquents ſuch are underſtood who are made ſo by Vote, without any treſpaſſe upon any known or eſtabliſhed Law; If by Delinquents thoſe nine Lords are underſtood, who are made Delinquents for obeying His Majeſties Summons to come to Him, after their ſtay there was neither ſafe nor honourable, by reaſon of the Tumults and other Violences, and whoſe impeachment, He is confident, is the greateſt breach of priviledge that, before this Parliament, was ever offered to the Houſe of Peeres; If by Delinquents ſuch are underſtood, who refuſe to ſubmit to the pretended Ordinance of the *Militia*; to that of the Navie; or to any other which His Majeſty hath not conſented to; Such, who for the peace of the Kingdome, in an humble manner, prepare Petitions to Him, or to both Houſes, as His good Subjects of *London* and *Kent* did, whileſt ſeditious ones, as that of *Eſſex*, and other places, are allowed and cheriſhed; If by Delinquents ſuch are underſtood, who are called ſo, for publiſhing His Proclamations (as the Lord Major of *London*) or for reading his Meſſages and Declarations (as divers Miniſters about *London* and elſewhere) when thoſe againſt him are diſperſed with all Care and Induſtry, to poyſon and corrupt the loyalty and affection of his people; If by Delinquents ſuch are underſtood, who have or ſhall lend his Majeſty money in the Univerſities, or in any other places; his Majeſty declares to all the world, that he will protect ſuch with his utmoſt power and ſtrength, and directs, That in theſe Caſes they ſubmit not to

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any Messengers or Warrants, it being no lesse his duty to protect those who are innocent, then to bring the guilty to condigne punishment; of both which the Law is to be judge: And if both houses do think fit to make a Generall, and to raise an Army for defence of those who obey their Orders and Commands, his Majesty must not sit still, and suffer such who submit to his just power, and are solicitous for the Laws of the Land, to perish and be undone, because they are called Delinquents. And when they shall take upon them to dispence with the attendance of those who are called by his Majesties Writ, whilst they send them to Sea to rob his Majesty of his Ships, or into the severall Counties to put his Subjects in Arms against him, his Majesty (who onely hath it) will not lose the power to dispence with them to attend his Own person, or to execute such Offices as are necessary for the preservation of himself and the Kingdome, but must protect them, though they are called Delinquents.

For the manner of the proceeding against Delinquents, his Majesty will proceed against those who have no priviledge of Parliament, or in such Cases where no priviledge is to be allowed, as he shall be advised by his learned Councell, and according to the known and unquestionable rules of the Law: it being unreasonable, that he should bee compelled to proceed against those who have violated the known and undoubted Law only before them who have directed such violation.

Having said thus much to the particulars of the Petition, though his Majesty hath reason to complain, That since the sending this Petition, they have beaten their Drums for Souldiers against him, armed their new Generall with a Power destructive to the Law and Liberty

of the Subjects, and choſen a Generall of their horſe; his Majeſty out of his Princely Love, Tenderneſſe, and Compaſſion of his People, and deſire to preſerve the peace of the Kingdom, that the whole force and ſtrength of it may be united for the defence of it ſelf, and the relief of *Ireland*, (in whoſe behalf he conjures both his houſes of Parliament, as they will anſwer the contrary to Almighty God, his Majeſtie, to thoſe that truſt them, and to that bleeding miſerable Kingdome, that they ſuffer not any Moneyes granted and collected by Act of Parliament to be diverted, or imployed againſt his Majeſty, whileſt his Souldiers in that Kingdome, are ready to mutiny or periſh for want of pay, and the barbarous Rebels prevail by that encouragement) is graciouſly pleaſed once more, to propoſe and require:

That his Town of *Hull* be immediately delivered up to him; which being done (though his Majeſty hath been provoked by unheard of Inſolencies of Sir *John Hotham*, ſince his burning and drowning the Countrey, in ſeizing his Wine and other Proviſions for his houſe, and ſcornfully uſing his Servant, whom he ſent to require them, ſaying, *It came to him by Providence and he will keep it*; And ſo refuſing to deliver it, with threats, if he or any other of his fellow-ſervants ſhould again repair to *Hull* about it; and in taking and detaining Priſoners divers Gentlemen, and others, in their paſſage over the *Humber* into *Lincolnſhire*, about their neceſſary occaſions, and ſuch other indignities, as all Gentlemen muſt reſent in his Majeſties behalf) his Majeſtie, to ſhew his earneſt deſire of Peace (for which he will diſpence with his Own honour) and how far he is from deſire of Revenge, will grant a free and generall Pardon to all perſons within that Town.

That

That his Majeſties Magazine taken from *Hull*, bee forthwith put into ſuch hands as he ſhall appoint.

That his Navie be forthwith delivered into ſuch hands as he hath directed for the government thereof, the detaining thereof after his Majeſties directions publiſhed and received to the contrary, and imploying his Ships againſt him in ſuch manner as they are now uſed, being notorious high-treaſon in the Commanders of thoſe Ships.

That all Arms, Levies, and Proviſions for a War, made by the Conſent of both houſes (by whoſe example his Majeſty hath been forced to make ſome preparations) be immediatly laid down, and the pretended Ordinance for the *Militia*, and all power of impoſing Lawes upon the Subject, without his Majeſties conſent, be diſavowed, without which, the ſame pretence will remain to produce the ſame miſchiefs; all which his Majeſty may as lawfully demand, as to live; and can with no more Juſtice be denyed him, then his Life may be taken from him.

Theſe being done, and the Parliament adjourned to a ſafe and ſecure place, his Majeſty promiſes, in the preſence of God, and bindes himſelf, by all his confidence and aſſurance in the affection of his people, that he will inſtantly, and moſt cheerfully, lay down all the force hee ſhall have raiſed, and diſcharge all his future and intended Levies, that there may be a generall face of Peace over the whole Kingdome, and will repair to them; And deſires that all differences may bee freely debated in a Parliamentary way, whereby the Law may recover its due reverence, the Subject, his juſt Liberty, and Parliaments themſelves, their full vigour and eſtimation; and ſo the whole Kingdome a bleſſed Peace, Quiet, and Proſperity.

If theſe Propoſitions ſhall be rejected, his Majeſty doubts not of the protection and aſſiſtance of Almighty God,

God, and the ready concurrence of his good Subjects, who can have no hope left them of enjoying their own long, if their King may be oppreſſed, and ſpoyled, and muſt be remedileſſe. And though his Towns, his Ships, his Arms, and his Money be gotten and taken from him, He hath a good Cauſe left, and the hearts of his people, which, with Gods bleſſing, he doubts not, will recover all the reſt.

Laſtly, if the preſervation of the Proteſtant Religion, the defence of the Liberty and Law of the Kingdome, the Dignity and Freedome of Parliament, and the Recoverie and the Relief of bleeding and miſerable *Ireland* be equally precious to the Petitioners, as they are to his Majeſty (who will have no quarrell but in defence of theſe) there will be a cheerfull and ſpeedy conſent to what his Majeſty hath now propoſed and deſired.

And of this, his Majeſtie expects a full and poſitive Anſwer, by Wedneſday the 27. of this inſtant *July*; till when he will not make any attempt of force upon *Hull*, hoping in the Affection, Duty, and Loyalty of the Petitioners; and in the meantime expects, That no ſupply of Men be put into *Hull*, or any of his Majeſties goods taken from thence.

FINIS.